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**Special Town Meeting
November 16, 2005**

The meeting was televised by Amherst Community Television and shown on the Government Channel.

The Special Town Meeting was called to order by the Moderator, Harrison Gregg at 7:33 p.m. There were 245 town meeting members. 123 checked in and a quorum was declared. The call and the return of the warrant were read by Town Clerk, Anna M. Maciaszek. A procedural motion was made to adjourn town meeting at 7:52 p.m. to finish the business of the November 2, 2005 Special Town Meeting. The meeting was called to order again at 8:23 p.m. The meeting took action on Articles 1, 2, and 3.

ARTICLE 1. Capital Program – Historical Preservation/Affordable Housing Restriction – 26 Spring Street (Select Board)

MOTION A:

VOTED unanimously that the Town request the Select Board, working with the Historical Commission, the Housing Partnership/Fair Housing Committee, and other relevant entities, public and private, to assess the advisability and potential costs of acquiring an Historic Preservation Restriction and/or Affordable Housing Restriction on the property at 26 Spring Street (Map 14A, Parcel 265).
Action taken on 11/16/2005.

MOTION B:

VOTED to refer to the Housing Partnership/Fair Housing Committee and Historical

Commission [To see if the Town will appropriate \$50,000 for acquisition of an Historic Preservation Restriction and/or Affordable Housing Restriction on the property at 26 Spring Street (Map 14A, Parcel 265); determine whether such appropriation shall be met by borrowing, taxation, the transfer of available funds, or otherwise, and authorize the application for and acceptance of any gifts, bequests, or grants; and authorize the Select Board to acquire said restriction(s).]

Action taken on 11/16/2005.

ARTICLE 2. Capital Program - Historical Preservation Restriction – 575 North East Street (Select Board)

VOTED unanimously to appropriate \$50,000 for acquisition of an Historic Preservation Restriction on the pre-1815 brick Federal house known as the Benjamin Kimball House and associated property at 575 North East Street (Map 9C-1/Parcel 28); to meet such appropriation transfer \$50,000 from the Community Preservation Act Fund Balance; and authorize the Select Board to acquire said restriction, which shall include the following area:

The area of the Historic Preservation Restriction shall include the original brick portions of the Benjamin Kimball House and all immediately abutting land area in an exclusion from an Agricultural Preservation Restriction (APR) encumbering surrounding property, said Historical Preservation Restriction beginning at the eastward edge of the North East Street public way, proceeding east to a line parallel to and twenty (20) feet from the rear (east) wall of the house, and bounded on the north and south by APR encumbered lands.

Action taken on 11/16/2005.

ARTICLE 3. Capital Program - Agricultural Preservation Restriction – West Street (Select Board)

MOTION A:

VOTED unanimously that the Town authorize the Select Board 1) to acquire by purchase, gift, eminent domain or otherwise, the easement rights held by Alvah G. Eldridge, Nettie M. Eldridge, Miriam D. Richards, Ethelyn E. Richards and/or any other persons claiming any rights in such easement, which easement permits drainage and sewage to be emptied onto certain land located on West Street, being Map 20C, Parcel 151 of the Town Cadastre, as more particularly described in the deed of Anna Elizabeth Nanartonis to the Nanartonis Family Trust dated January 2, 1991, and recorded at the Hampshire County Registry of Deeds in Book 3673, Page 117, and 2) to release, terminate or extinguish such easement rights.

Action taken on 11/16/2005.

MOTION B:

VOTED that the Town authorize the Select Board to purchase, jointly with the Commonwealth of Massachusetts Department of Food and Agriculture, an Agricultural Preservation Restriction from the Nanartonis Family Trust on land located on West Street, being Map 20C, Parcel 151 of the Town Cadastre, appropriate \$20,000 for said purchase, and to meet such appropriation transfer \$20,000 from the Community Preservation Act Fund Balance.

Action taken on 11/16/2005.

The business of the warrant having been completed, the meeting voted to dissolve at 9:27 p.m. on Wednesday, November 16, 2005. 171 town meeting members were checked in.

Attest:

Anna Maciaszek
Town Clerk